

## U.S. Department of Justice



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*United States Attorney  
Southern District of New York*

*The Silvia J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

August 2, 2005

AUG 2  
**MEMO ENDORSED**

**BY HAND DELIVERY**

Honorable Kimba M. Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1610  
New York, New York 10007

Re: United States v. Matthew Ianniello, et al.,  
05 Cr. 774 (KMW)

Dear Judge Wood:

The parties jointly propose modifications of Magistrate Judge Eaton's order of bail for defendant Matthew Ianniello and, based on this agreement, the Government respectfully withdraws its appeal of that order. The parties jointly submit the following bail conditions for the Court's consideration:

- \$5 million personal recognizance bond, co-signed by 5 financially responsible people, and secured by: (a) \$3 million or more in equity in property, and (b) \$150,000 cash;
- home incarceration with electronic monitoring;
- no more than 1 non-family adult visitor at a time;
- no use of any telephone, cellphone, walkie-talkie, or other communication device;
- no contact with any known criminals and/or co-defendants;
- travel restricted to the Southern and Eastern Districts of New York [to the extent not covered by home incarceration];

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- surrender passport and no applications for new travel documents; and
- all conditions to be met by close of business on Friday, August 5.

Respectfully submitted,

DAVID N. KELLEY  
United States Attorney  
Southern District of New York

By:

  
Timothy J. Treanor/Stephen A. Miller  
Assistant United States Attorneys  
(212) 637-2362/2210

cc: Jay Goldberg, Esq.  
(By facsimile)

The above-stated bail conditions  
are hereby approved.

SO ORDERED:

Kimba M. Wood  
HON. KIMBA M. WOOD  
United States District Judge

August 2, 2005  
DATE